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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,714	06/30/2006	Stefano Prettegiani	P/63769	8606
156	7590	02/19/2009	EXAMINER	
Kirschstein, Israel, Schiffmiller & Pieroni, P.C. 425 FIFTH AVENUE 5TH FLOOR NEW YORK, NY 10016-2223			MEW, KEVIN D	
ART UNIT		PAPER NUMBER		2416
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/562,714	PRETTEGIANI, STEFANO	
	Examiner	Art Unit	
	Kevin Mew	2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 December 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 20-38 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 20,24-26,29,30,33,34 and 38 is/are rejected.
 7) Claim(s) 21-23,27,28,31,32 and 35-37 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 23 December 2005 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/30/06</u> . | 6) <input type="checkbox"/> Other: _____ . |

Detailed Action

1. Acknowledgement is made of the preliminary amendment regarding the canceled claims 1-19 and the newly added claims 20-38. Claims 20-38 are currently pending.

Drawings

2. The drawings are objected to because Figs. 1-6, 9-11 lack descriptive labels. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 25, 30 are objected to because of the following informalities:

In line 2, claim 25, replace the word "inks" with "links." Appropriate correction is required.

In line 2, claim 30, the term "adapted" should be removed in order to comply with current USPTO acceptable practice.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 20, 24-26, 29-30, 33-34, 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Dally (US Publication 2003/0058848).

Regarding claim 20, Dally discloses a switching network for switching frames of data, in defined time-slots, of a cross-connection request between a desired input and a desired output, comprising an input stage consisting of a plurality of switching matrices (input stage comprising links ABCDEFGH going into a plurality of its switching matrices, paragraph 0043 and Fig. 4B), an intermediate stage consisting of a plurality of switching matrices (middle stage comprising

links ABFCHDE going into its plurality of switching matrices, paragraph 0043 and Fig. 4B), and an output stage consisting of a plurality of switching matrices (output stage comprising links HDFABAEC going out of its plurality of switching matrices, paragraph 0043 and Fig. 4B), each input stage switching matrix having a link to each intermediate stage switching matrix (each input stage having a link to each middle stage matrix, paragraph 0043 and Fig. 4B) and each intermediate stage switching matrix having a link to each output stage switching matrix (each middle stage switching matrix having a link to each output stage switching matrix, paragraph 0043 and Fig. 4B), including means for routing each time-slot of each frame independently through the switching matrices (time slots are routed separately for each set of calls, paragraphs 0025, 0023).

Regarding claim 24, Dally discloses the switching network as claimed in claim 20, in which the routing means is arranged to create a list of free time-slots in the links between the intermediate stage switching matrices and the input and output stage switching matrices of the request when a cross-connection request is received (a set of free time slots are arranged between the middle stage for the set of calls, paragraphs 0025, 0023).

Regarding claim 25, Dally discloses the switching network as claimed in claim 20 in which the links are time division multiplex links (the calls are divided by time slots and the time slots are multiplexed, paragraphs 0025, 0023).

Regarding claim 26, Dally discloses the switching network as claimed in claim 20, in which the number of intermediate stage switching matrices (there are 4 matrices in the middle stage, Fig. 4B) is at least two less than the sum of the number of inputs of each input stage switching matrix and outputs of each output stage switching matrix (the sum of the number of inputs of each input stage switching matrix and outputs of each output stage switching matrix is $4 + 4$, which is 8; thus the number of middle stage matrices is at least two less than the sum of the number of inputs of each input stage switching matrix and outputs of each output stage switching matrix, Fig. 4B).

Regarding claim 29, Dally discloses the switching network as claimed in claim 20, in which the routing means is arranged to reassemble the individually-routed time-slots into frames at the output of the output stage switching means (each of the time slots that comprises a different frame is generated at the output, Fig. 10).

Regarding claim 30, Dally discloses the switching network as claimed in claim 20, in which the switching matrices are adapted to receive standard data traffic from which internally-generated frames replacing at least some overhead have been created (time slots are created in the middle stage for a first set of calls, paragraph 0023).

Regarding claim 33, Dally discloses a digital cross-connect, comprising: a switching matrix switching network-for switching frames of data, in defined time-slots (time slots 1, 2, 3, 4 and so on, Fig. 5-8, 10), of a cross-connection request between a desired input and a desired output (desired input and output, Figs. 5-8, 10), the switching network including all input stage having a plurality of switching matrices (input stage comprising links ABCDEFGH going into a plurality of its switching matrices, paragraph 0043 and Fig. 4B), an intermediate stage having a plurality of switching matrices (middle stage comprising links ABFCHDE going into its plurality of switching matrices, paragraph 0043 and Fig. 4B), and an output stage having a plurality of switching matrices (output stage comprising links HDFABAEC going out of its plurality of switching matrices, paragraph 0043 and Fig. 4B), each input stage switching matrix having a link to each intermediate stage switching matrix (each input stage having a link to each middle stage matrix, paragraph 0043 and Fig. 4B), and each intermediate stage switching matrix having a link to each output stage switching matrix (each middle stage switching matrix having a link to each output stage switching matrix, paragraph 0043 and Fig. 4B), including means for routing each time-slot of each frame independently through the switching matrices (time slots are routed separately for each set of calls, paragraphs 0025, 0023).

Regarding claim 34, Dally discloses a method of routing frames of data in defined time-slots through a switching network to fulfill a cross-connection request between a desired input and a desired output (desired input and output, Figs. 5-8, 10), wherein the switching network comprises an input stage consisting of a plurality of switching matrices (input stage comprising links ABCDEFGH going into a plurality of its switching matrices, paragraph 0043 and Fig. 4B),

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an intermediate stage consisting of a plurality of switching matrices (middle stage comprising links ABFCHDE going into its plurality of switching matrices, paragraph 0043 and Fig. 4B), and an output stage consisting of a plurality of switching matrices (output stage comprising links HDFABAEC going out of its plurality of switching matrices, paragraph 0043 and Fig. 4B), each input stage switching matrix having a link to each intermediate stage switching matrix (each input stage having a link to each middle stage matrix, paragraph 0043 and Fig. 4B), and each intermediate stage switching matrix having a link to each output stage switching matrix (each middle stage switching matrix having a link to each output stage switching matrix, paragraph 0043 and Fig. 4B), the method comprising the step of: routing each time-slot of each frame independently through the switching matrices (time slots are routed separately for each set of calls, paragraphs 0025, 0023).

Regarding claim 38, Dally discloses a method as claimed in claim 34, and the step of creating a list of free time-slots in the links between the intermediate stage switching matrices and the input and output stage switching matrices of the request when a cross-connection request is received (a set of free time slots are arranged between the middle stage for the set of calls, paragraphs 0025, 0023).

Allowable Subject Matter

5. Claims 21-23, 27-28, 31-32, 35-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 21, the switching network as claimed in claim 20, in which the routing means is arranged to route each succeeding time-slot of the cross-connection request frame through the intermediate stage switching matrix having the link with the largest instantaneous number of free time-slots.

In claim 27, the switching network as claimed in claim 20, in which the number of intermediate stage switching matrices is less than twice the number of inputs of each input stage switching matrix.

In claim 31, the switching network as claimed in claim 20, in which each lime-slot of the links corresponds to a frame having a data rate at least one sixteenth of that of the links.

In claim 35, the method as claimed in claim 34, in which the routing step is performed by routing each succeeding time-slot of the cross-connection request frame through the intermediate stage switching matrix having the link with the largest instantaneous number of free time-slots.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chi H Pham/
Supervisory Patent Examiner, Art Unit
2416
2/17/09

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Examiner, Art Unit 2416